

1 ROBERT HAWKINS #131159
2 CHAPTER 7 TRUSTEE
3 1849 NORTH HELM, SUITE 110
4 FRESNO, CALIFORNIA 93727
5 (559) 255-0555

6 Chapter 7 Trustee

7 **IN THE UNITED STATES BANKRUPTCY COURT**
8 **EASTERN DISTRICT OF CALIFORNIA**

9
10
11 In the Matter of

Case No. 11-12395-A-7F

12 ANTONIO FREITAS and
13 MARY JO FREITAS,

DC No. RHT-2

14 **TRUSTEE'S MOTION FOR**
15 **AUTHORIZATION TO SELL**
16 **PERSONAL PROPERTY**
17 11 U.S.C. §363

18 Debtors. _____/

Date: August 10, 2011
Time: 9:00 a.m.
Dept: A

19 **TO THE HONORABLE WHITNEY RIMEL, UNITED STATES BANKRUPTCY**

20 **JUDGE:**

21 Robert Hawkins respectfully represents:

- 22 1. He is the duly appointed, qualified, and acting trustee of the above-entitled estate.
- 23 2. The above-captioned case was filed under Chapter 7 on or about February 28, 2011,
24 and Robert Hawkins was appointed Chapter 7 Trustee.
- 25 3. This Court has jurisdiction over this proceeding by virtue of 28 U.S.C. §1334(a).
26 This is a "core" proceeding pursuant to 28 U.S.C. §157(b)(2)(A). This motion is brought pursuant
27 to 11 U.S.C. §363.
- 28 4. Among the assets of this estate is non exempt equity in a 2000 Harley Davidson
Motorcycle with a fair market value of approximately \$5,500.00.

1 5. The Trustee has received an offer from Eddie D. Taylor to purchase the motorcycle
2 for the total sum of \$4,750.00. The funds have been received by the estate.

3 6. In deciding to accept the proposed offer, the Trustee took into consideration the fair
4 market value of the vehicle and the costs associated with taking possession of, storing, and selling
5 the vehicle at auction. The Trustee does not believe that the estate would net a higher amount from
6 an auction sale of the vehicle.

7 7. The Trustee believes that sale of the above-described property on the terms set forth
8 above is in the best interest of the creditors of this estate and all parties in interest.

9 **WHEREFORE**, the Trustee prays that after appropriate notice and opportunity to be heard,
10 he be authorized to sell the above-described asset to Eddie D. Taylor for the total sum of \$4,750.00.

11 **DATED:** July 5, 2011

12 /S/Robert Hawkins
13 ROBERT HAWKINS,
14 Chapter 7 Trustee